

VZCZCXRO8787  
RR RUEHCHI RUEHDT RUEHHM RUEHNH  
DE RUEHHI #0599 0871147  
ZNR UUUUU ZZH  
R 281147Z MAR 07  
FM AMEMBASSY HANOI  
TO RUEHC/SECSTATE WASHDC 5008  
INFO RUEHHM/AMCONSUL HO CHI MINH 2819  
RUCNASE/ASEAN MEMBER COLLECTIVE

UNCLAS HANOI 000599

SIPDIS

SENSITIVE  
SIPDIS

STATE FOR EAP/MLS, DRL/AWH

E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [PINS](#) [VM](#) [CVIS](#)

SUBJECT: GVN READY TO MOVE ON PHAM VAN BAN

Ref: HANOI 451

¶1. (SBU) This is an action cable. See paragraph 7.

¶2. (SBU) On March 29, MFA Consular Department Director General Bui Dinh Dzinh called in the CDA to confirm that Vietnam will facilitate the USG request that Phan Van Ban be released and is ready to move forward. In order to facilitate the "consideration of amnesty for Ban by President Triet," the MFA asks that the United States present a diplomatic note requesting Ban's release on humanitarian, medical and family grounds. He also asked for a letter from Ban's family addressed to the MFA guaranteeing that the family can "sponsor" Ban. Dzinh reiterated that the MFA and Ministry of Public Security (MPS) need these two documents as the basis for an amnesty order to be signed by President Nguyen Minh Triet. These documents will be "sufficient to speed up the order," Dzinh said.

¶3. (SBU) Dzinh then reported that the GVN will issue Phan Van Ban a passport to travel, but that it is not "convenient" for Vietnam to consent to the request of the USG to reach out to inform the Government of Thailand that "Vietnam and the United States are working together to bring this matter to a satisfactory conclusion."

(Note: We had conveyed this request to the MFA and the MPS via diplomatic note dated March 19. End Note.)

¶4. (SBU) The CDA then clarified several points in Dzinh's presentation, confirming that the GVN does not object to Ban leaving for the United States via Bangkok or any other intermediate destination. The GVN interest is only in seeing that he be delivered to the airport in Vietnam and leave immediately for the United States. The MFA would, however, like to know in advance how the USG will ensure Ban's entry into a third country, should he not merely be transiting airports on his way to the United States. Dzinh even suggested that the GVN could facilitate the taking of fingerprints in prison if we wish to provide Ban a non-immigrant visa to facilitate this, clarifying that the GVN concern is that Ban might be returned to Vietnam when he arrives at an intermediate stop without a U.S. visa in his passport. Dzinh also confirmed to the CDA that the "sponsorship" or "guarantee" letter requested from the son need deal only with the son's willingness to accept and care for his father (i.e., the GVN is not fishing for a written guarantee of Ban's behavior after leaving the country). Finally, Dzinh confirmed that the MFA is ready to move quickly, once the amnesty decision is in place. He did not speculate on how long the amnesty approval process might take, however.

¶5. (SBU) Comment: The GVN's decision to make the MFA Consular Department our interface on departure requirements is a little surprising, but not a cause for concern. It presumably relates to that office's responsibility in providing Ban's passport. While Dzinh offered the suggestion that Ban might be fingerprinted in prison, he rejected the notion that Ban might be released for visa processing in Vietnam. When released, he will be transported to the airport for immediate departure.

¶6. (SBU) Post will draft and transmit a simple diplomatic note requesting that the GVN release Ban on humanitarian grounds to receive medical treatment and reunite with his family.

¶7. (SBU) Action Request: Post requests assistance in securing a simple letter from Ban's son regarding his willingness to "sponsor" his father, along the lines of the request above. We believe that a short written document, signed and scanned/e-mailed to Post, could serve as an attachment to the USG diplomatic note. Post also requests guidance on answering the GVN with regard to where Ban will be processed for admission to the United States, given the GVN's refusal to reach out to the Government of Thailand.

Aloisi